

Message Text

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ACTION PM-04

INFO OCT-01 EUR-12 ISO-00 CIAE-00 INR-07 NSAE-00 IGA-02

ACDA-07 AID-05 L-03 SP-02 SSO-00 INRE-00 (ISO) W
----- 093509

O 231009Z AUG 76 ZFF-4
FM AMEMBASSY ATHENS
TO SECSTATE WASHDC IMMEDIATE 6341
INFO SECDEF WASHDC IMMEDIATE

C O N F I D E N T I A L ATHENS 8746

E.O. 11652: GDS
TAGS: MASS, GR, US
SUBJECT: MAP MATERIEL ELIGIBILITY REQUIREMENT

REFS: (A) SECDEF/DSAA (TC) 102107Z AUG 76
(B) ATHENS 6672 (921955Z JUL 76)
(C) ATHENS 6588 (301510Z JUN 76)
(D) STATE 159867 (281810Z JUN 76)
(E) ATHENS 6317 (241443Z JUN 76)
(F) STATE 155427 (231524Z JUN 76)
(G) ATHENS 5468 (021520Z JUN 76)
(H) STATE 131098 (271953Z MAY 76)

SUMMARY: UNDER PRESSURE TO OBLIGATE ALL BUT 20 PERCENT
OF ITS GRANT MILITARY AID BY AUGUST 31, THE GOG HAS AGREED
TO DROP TEMPORARILY ITS DEMAND FOR A NEW MILITARY ASSIST-
ANCE AGREEMENT WHICH WOULD, AMONG OTHER THINGS, HAVE
DIMINISHED THE STATUS OF JUSMAGG PERSONNEL. INSTEAD, THE
GOG AND THE EMBASSY HAVE WORKED OUT A DRAFT EXCHANGE OF
NOTES TO REAFFIRM IMPLICITLY THAT STATUS AND TO FULFILL
FAA SECTION 505(F) REQUIREMENTS. ACTION REQUESTED:
APPROVAL OF PARA FIVE TEXT ASAP. END SUMMARY

1. IN ABSENCE OF DEPARTMENT RESPONSE TO REF C, EMBASSY
HAS BEEN UNABLE FORMALLY TO PURSUE MATTER OF GOG REDRAFT
OF MILITARY ASSISTANCE AGREEMENT WHICH WOULD, INTER ALIA,
DENY TO JUSMAGG PERSONNEL THE STATUS THEY HAVE ENJOYED
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FOR THE PAST 28 YEARS. HOWEVER, GOG IS AWARE OF TIME

CONSTRAINT CITED REF A AND, REFLECTING A NEW SENSE OF URGENCY, MFA LAWYER MACHERITSAS INFORMALLY DISCUSSED WHOLE ISSUE WITH EMBASSY POL/MIL OFFICER RECENTLY. ON ASSUMPTION THAT DEPARTMENT WISHED US TO MAINTAIN JUSMAGG PERSONNEL STATUS, WE HAVE EXPLORED WITH MACHERITSAS WAYS IN WHICH GOG MIGHT COMPLY WITH FAA SECTION 505(F) WITHOUT DIMINISHING JUSMAGG STATUS.

2. ONE POSSIBILITY DISCUSSED WAS ABANDONMENT BY THE GOG, "FOR THE TIME BEING," OF THE CONCEPT OF A NEW MILITARY ASSISTANCE AGREEMENT IN FAVOR OF AN EXCHANGE OF NOTES (ALONG THE LINES OF THAT PROVIDED BY DEPARTMENT IN REF H). WE GAVE MACHERITSAS TEXT OF THAT DRAFT NOTE, WITH FOLLOWING LANGUAGE AS NEW PENULTIMATE (FOURTH) PARAGRAPH: QUOTE: IT IS FURTHER UNDERSTOOD THAT THIS AGREEMENT DOES NOT AFFECT THE STATUS OF THOSE UNITED STATES GOVERNMENT PERSONNEL IMPLEMENTING AND ADMINISTERING THE SECURITY ASSISTANCE PROGRAM AS PROVIDED FOR BY THE AGREEMENT ON AID BETWEEN OUR GOVERNMENTS WHICH WAS SIGNED IN ATHENS ON JUNE 20, 1947, AS IMPLEMENTED BY LEGISLATIVE DECREE 694 OF MAY 7, 1948. UNQUOTE

3. MACHERITSAS SUBSEQUENTLY SUGGESTED A PARTIALLY REDRAFTED NOTE WHICH WOULD HAVE NO SPECIFIC REFERENCES TO PRIOR AGREEMENTS IN ITS THIRD AND (NEW) FOURTH PARAGRAPHS, BUT INSTEAD WOULD INCLUDE A REVISION OF THE INITIAL PHRASE OF THE SECOND PARAGRAPH TO REAFFIRM "EXISTING AGREEMENTS AND PROVISIONS CONCERNING MILITARY ASSISTANCE TO GREECE." THIS PHRASE WOULD, HE SAID, PERTAIN TO THE CURRENT STATUS OF JUSMAGG WITHOUT REQUIRING THE GOG TO SEEK NEW PARLIAMENTARY APPROVAL. HE ALSO INDICATED THAT THE GOG'S ABANDONMENT OF ITS DESIRE FOR A NEW MILITARY ASSISTANCE AGREEMENT WAS NOT A PERMANENT RENUNCIATION OF THAT CONCEPT.

4. WE AGREED THAT THIS SEEMED A REASONABLE APPROACH, GIVEN CURRENT GREEK POLITICAL REALITIES, AND SUGGESTED MINOR CHANGES SO THAT THE LANGUAGE MORE CLEARLY COVERS THE ACTIVITY AND PERSONNEL OF JUSMAGG. MFA DIRECTOR GENERAL FOR POLITICAL AFFAIRS TZOUNIS HAD INDICATED
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THAT THE GOG FINDS THE LATEST DRAFT QUITE ACCEPTABLE AND WISHES URGENTLY TO COMPLETE THE EXCHANGE OF NOTES.

5. TEXT OF NOTE AS WORKED OUT LOCALLY FOLLOWS: QUOTE: THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF FOREIGN AFFAIRS OF THE GOVERNMENT OF THE HELLENIC REPUBLIC AND HAS THE HONOR TO REFER TO RECENT DISCUSSIONS BETWEEN REPRESENT-

TATIVES OF THE TWO GOVERNMENTS REGARDING A PROVISION OF UNITED STATES LAW WHICH PROHIBITS THE UNITED STATES GOVERNMENT FROM FURNISHING DEFENSE ARTICLES ON A GRANT BASIS TO THE GOVERNMENT OF THE HELLENIC REPUBLIC, OR ANY OTHER GOVERNMENT, UNLESS THE GOVERNMENT OF THE HELLENIC REPUBLIC SHALL HAVE AGREED TO PAY TO THE UNITED STATES GOVERNMENT THE NET PROCEEDS OF SALE RECEIVED BY THE GOVERNMENT OF THE HELLENIC REPUBLIC IN DISPOSING OF DEFENSE ARTICLES SO FURNISHED.

PARA: IT IS THEREFORE PROPOSED THAT, IN ADDITION TO THE EXISTING AGREEMENTS AND PROVISIONS CONCERNING THE IMPLEMENTATION OF THE MILITARY ASSISTANCE PROGRAM TO GREECE, THE GOVERNMENT OF THE HELLENIC REPUBLIC AGREES ALSO THAT THE NET PROCEEDS OF SALE RECEIVED BY THE GOVERNMENT OF THE HELLENIC REPUBLIC IN DISPOSING OF ANY WEAPON, WEAPONS SYSTEM, MUNITION, AIRCRAFT, MILITARY BOAT, MILITARY VESSEL, OR OTHER DEFENSE ARTICLE, INCLUDING SCRAP FROM ANY SUCH DEFENSE ARTICLE, RECEIVED (HERE-TOFORE OR HEREAFTER) UNDER THE MILITARY ASSISTANCE PROGRAM OF THE UNITED STATES GOVERNMENT WILL BE PAID TO THE UNITED STATES GOVERNMENT AND SHALL BE AVAILABLE TO PAY ALL OFFICIAL COSTS OF THE UNITED STATES GOVERNMENT PAYABLE IN GREEK CURRENCY, INCLUDING ALL COSTS RELATING TO THE FINANCING OF INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE ACTIVITIES IN WHICH THE GOVERNMENT OF THE HELLENIC REPUBLIC PARTICIPATES.

PARA: IT IS PROPOSED THAT THE MINISTRY'S REPLY STATING THAT THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF THE HELLENIC REPUBLIC SHALL, TOGETHER WITH THIS NOTE, CONSTITUTE AN AGREEMENT BETWEEN OUR GOVERNMENTS ON THIS SUBJECT, TO BE EFFECTIVE ON THE DATE OF THE MINISTRY'S REPLY. UNQUOTE

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6. ACTION REQUESTED: WE BELIEVE THAT THE FOREGOING LOCALLY WORKED-OUT REDRAFT, IF OTHERWISE ACCEPTABLE TO DEPARTMENT, WOULD BE MINIMALLY ACCEPTABLE AS VEHICLE FOR CONTINUING CURRENT STATUS OF JUSMAGG PERSONNEL. ALTHOUGH WE COULD ALLOW MOUNTING CONCERN WITHIN THE GOG ABOUT THE RECEIPT OF FY 76/7T MILITARY ASSISTANCE TO BRING GOG TO POINT WHERE MORE EXPLICIT LANGUAGE MIGHT BE EXTRACTED, WE BELIEVE LANGUAGE IN PARA FIVE ABOVE ACCOMPLISHES OUR IMMEDIATE OBJECTIVES. RECOMMEND THAT DEPARTMENT APPROVE THIS TEXT AS SOON AS POSSIBLE, BUT NOT LATER THAN AUGUST 26, SO THAT NOTES MAY BE EXCHANGED BEFORE REF A'S AUGUST 31 DEADLINE.
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